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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Diab, et al.

Appl. No. : 09/547,588

Filed : April 11, 2000

For : IMPROVED SIGNAL
PROCESSING APPARATUS
AND METHOD

Examiner : Eric Frank Winakur

) Group Art Unit 3736

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TECHNOLOGY CENTER R3700

RESPONSE TO THE OFFICE ACTION DATED JANUARY 15, 2002

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

In response to the Office Action dated January 15, 2002, Applicants respectfully submit the following amendments and comments in connection with the above-captioned application.

IN THE CLAIMS:

Please cancel Claim 1, without prejudice.

Please add new claims 2-23 as follows:

31-
32 A physiological monitor for monitoring a pulse rate of a living being, said monitor comprising a signal processor configured to:
transform a time-domain plethysmograph dataset into a spectral-domain dataset;
identify a plurality of spectral peaks in said spectral domain waveform; and
sort said plurality of spectral peaks into one or more spectral peaks corresponding to a fundamental frequency and one or more harmonics of said fundamental frequency, and estimate a pulse rate from said fundamental frequency and said one or more harmonics.

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01 FC:103
02 FC:102
03 FC:117